



## ZONING MAP AMENDMENT (REZONING) APPLICATION

Pre-App Date	_____
App Date	_____
Fee	_____
File No.	_____

### OWNER INFORMATION

Name(s) \_\_\_\_\_  
Contact \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Email \_\_\_\_\_

### APPLICANT/AGENT INFORMATION

Name(s) \_\_\_\_\_  
Contact \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Email \_\_\_\_\_

### SITE INFORMATION

Property Address/Location: \_\_\_\_\_  
Legal Description (Attach If Necessary) \_\_\_\_\_  
Total Site Area \_\_\_\_\_  
Present Zoning \_\_\_\_\_ Proposed Zoning \_\_\_\_\_  
Present Land Use \_\_\_\_\_ Proposed Land Use \_\_\_\_\_  
Proposed Building Type(s) \_\_\_\_\_

**Please indicate a reason for the request:**

\_\_\_\_\_  
\_\_\_\_\_

### SIGNATURE

I/We, the undersigned am/are the **(owner(s))**, **(duly authorized agent)**, **(Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for rezoning as indicated above.

Signature(s): \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

## ZONING MAP AMENDMENT (REZONING) APPLICATION CHECKLIST

### APPLICATION SUBMITTAL REQUIREMENTS

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	1. Complete application packet
<input type="checkbox"/>	<input type="checkbox"/>	2. Application fee
<input type="checkbox"/>	<input type="checkbox"/>	3. Digital copies (PDF) of the completed application and legal description (Word)
<input type="checkbox"/>	<input type="checkbox"/>	4. Sign posting affidavit
<input type="checkbox"/>	<input type="checkbox"/>	5. Preliminary Development Plan application and plans (if rezoning to a planned development)

### Please respond to the following statements:

Anticipated relationship of proposed zoning to economic development or public health, safety and welfare:

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Anticipated impact of proposed zoning/use on existing public infrastructure:

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I hereby submit all information required for rezoning application review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

## OWNER AFFIDAVIT

I/WE \_\_\_\_\_, hereby referred to as the "Undersigned", being of lawful age, do hereby on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

See "Exhibit A, Legal Description" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize \_\_\_\_\_ (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the City of Gardner, regarding \_\_\_\_\_ (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process. I/We further attest that I/We agree to be legally bound by the application made on our behalf by applicant and the resultant action upon such application by the City of Gardner.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

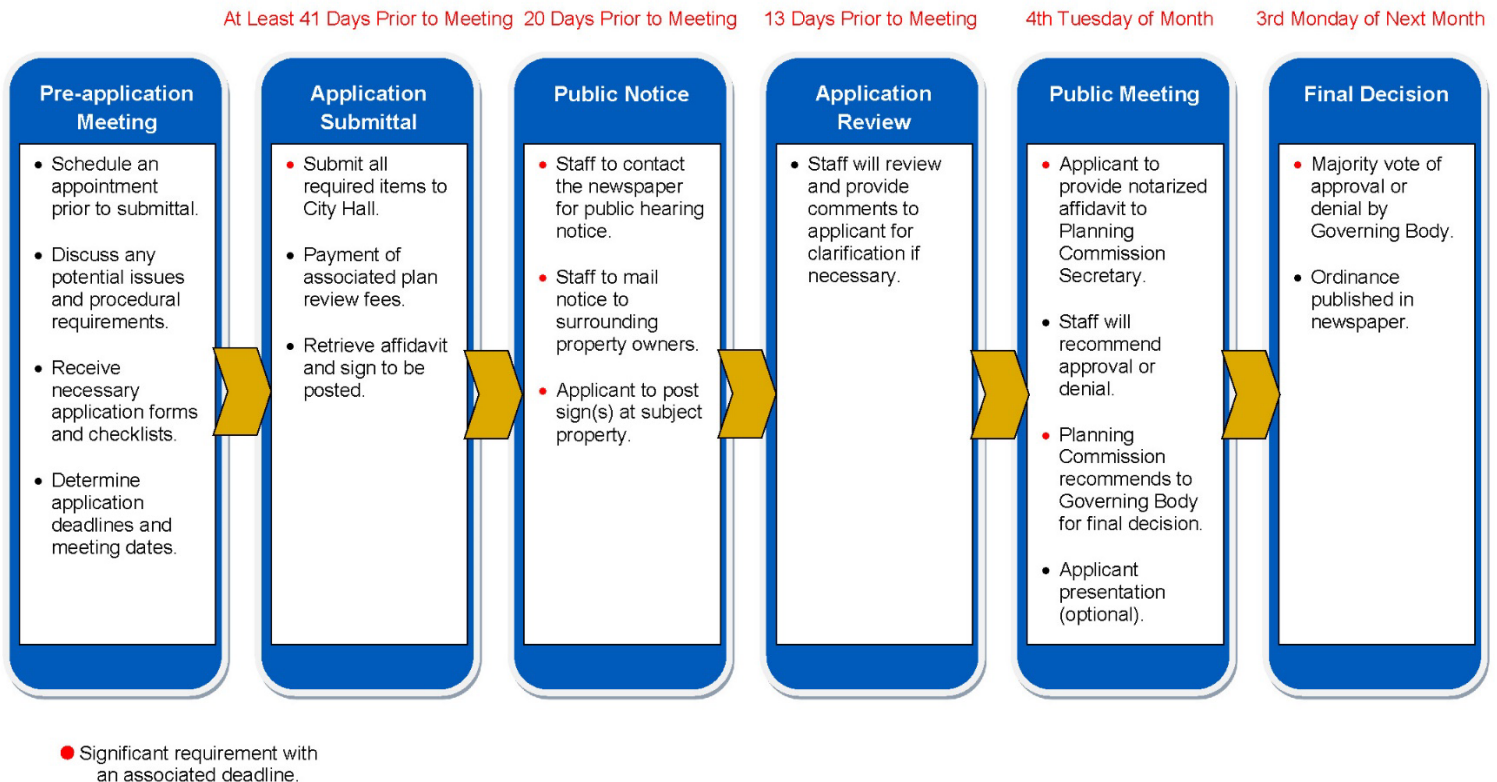
The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

\_\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
Notary Public

## ZONING MAP AMENDMENT (REZONING) APPLICATION PROCESS



\* Please refer to the Planning Commission “Schedule and Submittal Deadline” calendar for upcoming submission deadlines and meeting dates.

### REVIEW CRITERIA

The review of a rezoning is based on the regulations of the Land Development Code, Title 17 of the Gardner Municipal Code at [www.gardnerkansas.gov/documents/city-code](http://www.gardnerkansas.gov/documents/city-code).

The rezoning shall be reviewed according to the following criteria:

1. The character of the neighborhood, including the design of streets, civic spaces and other open spaces; the scale, pattern and design of buildings; and the operation and uses of land and buildings;
2. The zoning and use of properties nearby, and the compatibility with potential uses in the proposed district with these zoning districts;
3. The suitability of the subject property for the uses to which it has been restricted;
4. The extent to which removal of the restrictions will detrimentally affect nearby property;
5. The length of time the subject property has remained vacant as zoned;
6. The relative gain to economic development, public health, safety and welfare by the current restrictions on the applicant's property as compared to the hardship imposed by such restrictions upon the property;
7. The recommendations of professional staff;
8. The conformance of the requested change to the Comprehensive Plan, and in particular the relationship of the intent statement for the proposed district and how the specific application furthers that intent statement in relation to the Comprehensive Plan;
9. The extent to which the proposed use would adversely affect the capacity or safety of any utilities, infrastructure or public services serving the vicinity; and
10. Other factors relevant to a particular proposed amendment or other factors which support other adopted policies of the City.